

Forty-eighth Legislature  
Second Regular Session

COMMITTEE ON HOMELAND SECURITY AND PROPERTY RIGHTS  
HOUSE OF REPRESENTATIVES AMENDMENTS TO H.B. 2724  
(Reference to printed bill)

- 1 Page 1, line 18, strike "EXPRESSLY"
- 2 Line 19, strike "DIRECTLY OR INDIRECTLY"
- 3 Line 43, strike "READILY VISIBLE" insert "VISIBLE IN WHOLE OR IN PART"
- 4 Line 44, after the period insert "THIS SECTION SHALL NOT BE CONSTRUED TO ALLOW  
5 MODIFICATIONS TO COMMON ELEMENTS OR TO ALLOW MODIFICATIONS THAT MAY AFFECT  
6 THE STRUCTURAL INTEGRITY OF THE UNIT OR OTHER UNITS."
- 7 Page 2, strike lines 37 through 44
- 8 Page 3, strike lines 1 thru 3, insert:  
9           "G. ANY AMENDMENT TO THE DECLARATION THAT MODIFIES, CONTRADICTS OR  
10 SUPERSEDES AN EXPRESS PROVISION OF THE DECLARATION THAT WAS RELIED ON BY A  
11 UNIT OWNER BEFORE THE AMENDMENT WAS ADOPTED IS VOID AND UNENFORCEABLE AGAINST  
12 THAT UNIT OWNER UNLESS EITHER OF THE FOLLOWING APPLY:  
13           1. THE AMENDMENT WAS APPROVED BY THE UNIT OWNER WHOSE INTERESTS WOULD  
14 BE ADVERSELY AFFECTED.  
15           2. THE DECLARATION EXPRESSLY AND SPECIFICALLY INFORMS THAT UNIT OWNER  
16 THAT SUCH AMENDMENT TO THE DECLARATION MAY BE MADE."
- 17 Page 4, line 45, strike "AT ANY TIME"
- 18 Page 5, strike lines 9 thru 15
- 19 Reletter to conform
- 20 Line 16, strike "AN ACTION" insert "A COURT OR ADMINISTRATIVE ACTION INITIATED  
21 BY THE ASSOCIATION"
- 22 Line 37, after the period, strike the remainder of line; strike line 38
- 23 Page 7, lines 39 and 40, strike "AT ANY TIME"
- 24 Page 8, line 6, after the first "A" strike remainder of line; strike line 7, insert  
25 "PRIVATE DRIVEWAY IF ALL OF THE"
- 26 Between lines 12 and 13, insert:  
27           "3. THE VEHICLE DOES NOT INTERFERE WITH ANOTHER MEMBER'S RIGHT OF  
28 INGRESS AND EGRESS TO AND FROM THE MEMBER'S LOT."
- 29 Between lines 37 and 38, insert:

1                 "D. NOTWITHSTANDING ANY PROVISION IN THE COMMUNITY DOCUMENTS, AN  
2 ASSOCIATION SHALL NOT TOW A MEMBER'S PERSONAL MOTOR VEHICLE THAT IS PARKED ON  
3 A STREET THAT IS PUBLICLY OR PRIVATELY MAINTAINED. IF A VIOLATION OF THIS  
4 SUBSECTION OCCURS THE ASSOCIATION SHALL PAY, UPON RECEIPT OF THE INVOICE, THE  
5 MEMBER TWICE THE AMOUNT OF FEES CHARGED TO THE MEMBER BY THE TOWING COMPANY."

6 Page 8, strike lines 44 and 45

7 Page 9, strike lines 1 through 4

8 Reletter to conform

9                 Line 5, strike "AN ACTION" insert "A COURT OR ADMINISTRATIVE ACTION INITIATED BY  
10 THE ASSOCIATION"

11                 Line 25, strike "EXPRESSLY"

12                 Line 26, strike "DIRECTLY OR INDIRECTLY"

13 Page 10, strike lines 13 through 23, insert:

14                 "G. ANY AMENDMENT TO THE DECLARATION THAT MODIFIES, CONTRADICTS OR  
15 SUPERSEDES AN EXPRESS PROVISION OF THE DECLARATION THAT WAS RELIED ON BY A  
16 MEMBER BEFORE THE AMENDMENT WAS ADOPTED IS VOID AND UNENFORCEABLE AGAINST  
17 THAT MEMBER UNLESS EITHER OF THE FOLLOWING APPLY:

18                 1. THE AMENDMENT WAS APPROVED BY THE MEMBER WHOSE INTERESTS WOULD BE  
19 ADVERSELY AFFECTED.

20                 2. THE DECLARATION EXPRESSLY AND SPECIFICALLY INFORMS THAT MEMBER THAT  
21 SUCH AMENDMENT TO THE DECLARATION MAY BE MADE."

22 Line 32, strike "READILY VISIBLE" insert "VISIBLE IN WHOLE OR IN PART"

23 Line 33, after the period insert "THIS SECTION SHALL NOT BE CONSTRUED TO ALLOW  
24 MODIFICATIONS TO COMMON ELEMENTS."

25 Amend title to conform

and, as so amended, it do pass

WARDE V. NICHOLS  
Chairman

2724-hspr  
2/25/08  
H:jmb